

Sec.		Sec.	
13237.	(d) Authorization of appropriations. Certification of training programs.	13262.	Enforcement. (a) Violation. (b) Willful violation. (c) Knowing and willful violation following prior violation and penalty.
13238.	Alternative fuel use in nonroad vehicles and engines. (a) Nonroad vehicles and engines. (b) Definition of nonroad vehicles and engines. (c) Designation.	13263.	Powers of Secretary.
13239.	Low interest loan program. (a) Establishment. (b) Loan terms. (c) Criteria. (d) Priorities. (e) Authorization of appropriations.	13264.	Authorization of appropriations.
SUBCHAPTER III—AVAILABILITY AND USE OF REPLACEMENT FUELS, ALTERNATIVE FUELS, AND ALTERNATIVE FUELED PRIVATE VEHICLES		SUBCHAPTER IV—ELECTRIC MOTOR VEHICLES	
13251.	Mandate for alternative fuel providers. (a) In general. (b) Revisions and extensions. (c) Option for electric utilities. (d) Report to Congress.	13271.	Definitions.
13252.	Replacement fuel supply and demand program. (a) Establishment of program. (b) Development plan and production goals.	PART A—ELECTRIC MOTOR VEHICLE COMMERCIAL DEMONSTRATION PROGRAM	
13253.	Replacement fuel demand estimates and supply information. (a) Estimates. (b) Information. (c) Protection of information.	13281.	Program and solicitation. (a) Program. (b) Solicitation.
13254.	Modification of goals; additional rulemaking authority. (a) Examination of goals. (b) Modification of goals. (c) Additional rulemaking authority.	13282.	Selection of proposals. (a) Selection. (b) Criteria. (c) Conditions.
13255.	Voluntary supply commitments.	13283.	Discount payments. (a) Certification. (b) Payment. (c) Calculations of discount payments.
13256.	Technical and policy analysis. (a) Requirement. (b) Purposes. (c) Publication.	13284.	Cost-sharing. (a) Requirement. (b) Reduction.
13257.	Fleet requirement program. (a) Fleet program purchase goals. (b) Early rulemaking. (c) Advance notice of proposed rulemaking. (d) Proposed rule. (e) Determination. (f) Explanation of determination that fleet requirement program is not necessary. (g) Fleet requirement program. (h) Extension of deadlines. (i) Exemptions. (j) Conversions. (k) Inclusion of law enforcement vehicles and urban buses. (l) Consideration of factors. (m) Consultation and participation of other Federal agencies. (n) Petitions. (o) Mandatory State fleet programs.	13285.	Reports to Congress. (a) Progress reports. (b) Report on encouraging purchase and use of electric motor vehicles.
13258.	Credits. (a) In general. (b) Allocation. (c) Use of credits. (d) Transferability.	13286.	Authorization of appropriations.
13259.	Secretary's recommendations to Congress. (a) Recommendations to require availability or acquisition. (b) Fair and equitable application.	PART B—ELECTRIC MOTOR VEHICLE INFRASTRUCTURE AND SUPPORT SYSTEMS DEVELOPMENT PROGRAM	
13260.	Effect on other laws. (a) In general. (b) Compliance by alternative fueled vehicles.	13291.	General authority. (a) Program. (b) Eligibility. (c) Coordination.
13261.	Prohibited acts.	13292.	Proposals. (a) Solicitation. (b) Criteria. (c) Projects.
		13293.	Protection of proprietary information. (a) In general. (b) "Domestic companies" defined.
		13294.	Compliance with existing law.
		13295.	Electric utility participation study.
		13296.	Authorization of appropriations.
		SUBCHAPTER V—RENEWABLE ENERGY	
		13311.	Purposes.
		13312.	Renewable energy export technology training. (a) Establishment of program. (b) Purpose. (c) Authorization of appropriations.
		13313.	Renewable Energy Advancement Awards. (a) Authority. (b) Selection criteria. (c) Selection. (d) Eligibility. (e) Authorization of appropriations. (f) Awards made in absence of appropriations.
		13314.	Study of tax and rate treatment of renewable energy projects.
		13315.	Data system and energy technology evaluation.
		13316.	Innovative renewable energy technology transfer program. (a) Establishment of program. (b) Purposes of program. (c) Identification. (d) Financial mechanisms. (e) Solicitations for project proposals. (f) Assistance to United States firms. (g) Other program requirements.

- | | |
|--|---|
| <p>Sec.</p> <p>(h) Selection of projects.</p> <p>(i) United States-Asia Environmental Partnership.</p> <p>(j) Buy America.</p> <p>(k) Reports to Congress.</p> <p>(l) Definitions.</p> <p>(m) Authorization of appropriations.</p> <p>13317. Renewable energy production incentive.</p> <p>(a) Incentive payments.</p> <p>(b) Qualified renewable energy facility.</p> <p>(c) Eligibility window.</p> <p>(d) Payment period.</p> <p>(e) Amount of payment.</p> <p>(f) Sunset.</p> <p>(g) Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER VI—COAL</p> <p style="text-align: center;">PART A—RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION</p> <p>13331. Coal research, development, demonstration, and commercial application programs.</p> <p>(a) Establishment.</p> <p>(b) Demonstration and commercial application programs.</p> <p>(c) Report.</p> <p>(d) Status reports.</p> <p>(e) Consultation.</p> <p>13332. Coal-fired diesel engines.</p> <p>13333. Clean coal, waste-to-energy.</p> <p>13334. Nonfuel use of coal.</p> <p>(a) Program.</p> <p>(b) Plan contents.</p> <p>13335. Coal refinery program.</p> <p>(a) Program.</p> <p>(b) Objectives.</p> <p>13336. Coalbed methane recovery.</p> <p>(a) Study of barriers and environmental and safety aspects.</p> <p>(b) Information dissemination.</p> <p>(c) Demonstration and commercial application program.</p> <p>13337. Metallurgical coal development.</p> <p>13338. Utilization of coal wastes.</p> <p>(a) Coal waste utilization program.</p> <p>(b) Use as boiler fuel.</p> <p>13339. Underground coal gasification.</p> <p>(a) Program.</p> <p>(b) Demonstration projects.</p> <p>13340. Low-rank coal research and development.</p> <p>13341. Magnetohydrodynamics.</p> <p>(a) Program.</p> <p>(b) Solicitation of proposals.</p> <p>13342. Oil substitution through coal liquefaction.</p> <p>(a) Program direction.</p> <p>(b) Program goals.</p> <p>(c) Proposals.</p> <p>13343. Authorization of appropriations.</p> <p style="text-align: center;">PART B—CLEAN COAL TECHNOLOGY PROGRAM</p> <p>13351. Additional clean coal technology solicitations.</p> <p>(a) Program design.</p> <p>(b) Additional solicitations.</p> <p style="text-align: center;">PART C—OTHER COAL PROVISIONS</p> <p>13361. Clean coal technology export promotion and interagency coordination.</p> <p>(a) Establishment.</p> <p>(b) Membership.</p> <p>(c) Consultation.</p> <p>(d) Duties.</p> <p>(e) Data and information.</p> <p>(f) Report.</p> <p>13362. Innovative clean coal technology transfer program.</p> <p>(a) Establishment of program.</p> <p>(b) Purposes of program.</p> <p>(c) Identification.</p> | <p>Sec.</p> <p>(d) Financial mechanisms.</p> <p>(e) Solicitations for project proposals.</p> <p>(f) Assistance to United States firms.</p> <p>(g) Other program requirements.</p> <p>(h) Selection of projects.</p> <p>(i) United States-Asia Environmental Partnership.</p> <p>(j) Buy America.</p> <p>(k) Reports to Congress.</p> <p>(l) “Host country” defined.</p> <p>(m) Authorization of appropriations.</p> <p>13363. Conventional coal technology transfer.</p> <p>13364. Study of utilization of coal combustion by-products.</p> <p>(a) “Coal combustion byproducts” defined.</p> <p>(b) Study and report to Congress.</p> <p>13365. Coal fuel mixtures.</p> <p>13366. National clearinghouse.</p> <p>(a) Feasibility.</p> <p>(b) Authority to establish clearinghouse.</p> <p>13367. Coal exports.</p> <p>(a) Plan.</p> <p>(b) Plan contents.</p> <p>13368. Ownership of coalbed methane.</p> <p>(a) Federal lands and mineral rights.</p> <p>(b) Affected States.</p> <p>(c) Failure to adopt statutory or regulatory procedure.</p> <p>(d) Implementation by Secretary of the Interior.</p> <p>(e) Spacing.</p> <p>(f) Spacing units.</p> <p>(g) Development under pooling arrangement.</p> <p>(h) Escrow account.</p> <p>(i) Approval of Secretary of the Interior.</p> <p>(j) Authorization to stimulate coal seam.</p> <p>(k) Notice and objection.</p> <p>(l) Plugging.</p> <p>(m) Notice and objection by other parties.</p> <p>(n) Venting for safety.</p> <p>(o) Other laws.</p> <p>(p) Definitions.</p> <p>13369. Establishment of data base and study of transportation rates.</p> <p>(a) Data base.</p> <p>(b) Study.</p> <p>(c) Reports to Congress.</p> <p>(d) Consultation with other agencies.</p> <p>13370. Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER VII—GLOBAL CLIMATE CHANGE</p> <p>13381. Report.</p> <p>13382. Least-cost energy strategy.</p> <p>(a) Strategy.</p> <p>(b) Additional contents.</p> <p>(c) Secretarial consideration.</p> <p>(d) Priorities.</p> <p>(e) Assumptions.</p> <p>(f) Preference.</p> <p>(g) Public review and comment.</p> <p>13383. Director of Climate Protection.</p> <p>13384. Assessment of alternative policy mechanisms for addressing greenhouse gas emissions.</p> <p>13385. National inventory and voluntary reporting of greenhouse gases.</p> <p>(a) National inventory.</p> <p>(b) Voluntary reporting.</p> <p>(c) Consultation.</p> <p>13386. Export of domestic energy resource technologies to developing countries.</p> <p>13387. Innovative environmental technology transfer program.</p> <p>(a) Establishment of program.</p> <p>(b) Purposes of program.</p> <p>(c) Identification.</p> <p>(d) Financial mechanisms.</p> <p>(e) Solicitations for project proposals.</p> |
|--|---|

Sec.

- (f) Assistance to United States firms.
 - (g) Other program requirements.
 - (h) Eligible technologies.
 - (i) Selection of projects.
 - (j) United States-Asia Environmental Partnership.
 - (k) Buy America.
 - (l) Report to Congress.
 - (m) Definitions.
 - (n) Authorization of appropriations.
13388. Global Climate Change Response Fund.
- (a) Establishment of Fund.
 - (b) Restrictions on deposits.
 - (c) Use of Fund.
 - (d) Authorization of appropriations.

SUBCHAPTER VIII—REDUCTION OF OIL VULNERABILITY

13401. Goals.

PART A—OIL AND GAS SUPPLY ENHANCEMENT

13411. Enhanced oil recovery.
- (a) Program direction.
 - (b) Program goals.
 - (c) Accelerated program plan.
 - (d) Proposals.
 - (e) Consultation.
 - (f) Authorization of appropriations.
13412. Oil shale.
- (a) Program direction.
 - (b) Program goals.
 - (c) Eastern oil shale program.
 - (d) Western oil shale program.
 - (e) Authorization of appropriations.
13413. Natural gas supply.
- (a) Program direction.
 - (b) Proposals.
 - (c) Cofiring of natural gas and coal.
 - (d) Authorization of appropriations.
13414. Natural gas end-use technologies.
13415. Midcontinent Energy Research Center.
- (a) Finding.
 - (b) Purposes.
 - (c) Establishment.
 - (d) Research.

PART B—OIL AND GAS DEMAND REDUCTION AND SUBSTITUTION

13431. General transportation.
- (a) Program direction.
 - (b) Program plan.
 - (c) Proposals.
 - (d) “Alternative fuels” defined.
 - (e) Authorization of appropriations.
13432. Advanced automotive fuel economy.
- (a) Program direction.
 - (b) Program goal.
 - (c) Proposals.
13433. Alternative fuel vehicle program.
- (a) Program direction.
 - (b) Cooperative agreements and assistance.
 - (c) Definitions.
13434. Biofuels user facility.
13435. Electric motor vehicles and associated equipment research and development.
- (a) General.
 - (b) Comprehensive plan.
 - (c) Cooperative agreements.
 - (d) Solicitation of proposals.
 - (e) Cost-sharing.
 - (f) Deployment.
 - (g) Domestic parts manufacturers.
 - (h) Hold harmless.
 - (i) Consultation.
 - (j) Fuel cells for transportation.
 - (k) Definitions.
13436. Renewable hydrogen energy.

Sec.

- (a) Program direction.
 - (b) Proposals.
13437. Advanced diesel emissions program.
- (a) Program direction.
 - (b) Program goal.
 - (c) Program plan.
 - (d) Solicitation of proposals.
13438. Telecommuting study.
- (a) Study.
 - (b) Report to Congress.

SUBCHAPTER IX—ENERGY AND ENVIRONMENT

PART A—IMPROVED ENERGY EFFICIENCY

13451. General improved energy efficiency.
- (a) Program direction.
 - (b) Program goals.
 - (c) Program plan.
 - (d) Proposals.
 - (e) Authorization of appropriations.
13452. Natural gas and electric heating and cooling technologies.
- (a) Program direction.
 - (b) Proposals.
13453. Pulp and paper.
- (a) Program direction.
 - (b) Proposals.
13454. Advanced buildings for 2005.
- (a) Program direction.
 - (b) Proposals.
13455. Electric drives.
- (a) Program.
 - (b) Proposals.
13456. Improving efficiency in energy-intensive industries.
- (a) Secretarial action.
 - (b) Joint ventures.
13457. Energy efficient environment program.
- (a) Program direction.
 - (b) Identification of opportunities.
 - (c) Report.
 - (d) Proposals.
13458. Energy efficient lighting and building centers.
- (a) Purpose.
 - (b) Grants for establishment.
 - (c) Permitted activities.
 - (d) Application.
 - (e) Selection criteria.
 - (f) Requirement of matching funds.
 - (g) Task force.
 - (h) Membership terms and administration of task force.
 - (i) Report.
 - (j) Authorization of appropriations.

PART B—ELECTRICITY GENERATION AND USE

13471. Renewable energy.
- (a) Program direction.
 - (b) Program plan.
 - (c) Authorization of appropriations.
13472. High efficiency heat engines.
- (a) Program direction.
 - (b) Program goal.
 - (c) Program plan.
 - (d) Proposals.
 - (e) Authorization of appropriations.
13473. Civilian nuclear waste.
- (a) Study.
 - (b) Program.
 - (c) Authorization of appropriations.
13474. Fusion energy.
- (a) Program.
 - (b) Program goals.
 - (c) Management plan.
 - (d) Authorization of appropriations.
13475. Fuel cells.
- (a) Program direction.
 - (b) Program goal.

- Sec.
13476. (c) Authorization of appropriations.
Environmental restoration and waste management program.
(a) Authorization of appropriations.
(b) Long-term missions.
13477. High-temperature superconductivity program.
(a) Program.
(b) Authorization of appropriations.
13478. Electric and magnetic fields research and public information dissemination program.
(a) Program.
(b) Contents.
(c) Role of Director.
(d) Interagency Committee.
(e) Advisory Committee.
(f) Financial assistance.
(g) Reports.
(h) Conflicts of interest.
(i) Definitions.
(j) Authorization of appropriations.
(k) Sense of Congress.
(l) Sunset provision.
13479. Spark M. Matsunaga Renewable Energy and Ocean Technology Center.
(a) Findings.
(b) Purpose.
(c) Establishment.
(d) Administration.
(e) Activities.
(f) Matching funds.
(g) Authorization of appropriations.
- PART C—ADVANCED NUCLEAR REACTORS
13491. Purposes and definitions.
(a) Purposes.
(b) Definitions.
13492. Program, goals, and plan.
(a) Program direction.
(b) Program goals.
(c) Program plan.
13493. Commercialization of advanced light water reactor technology.
(a) Certification of designs.
(b) First-of-a-kind engineering.
13494. Prototype demonstration of advanced nuclear reactor technology.
(a) Solicitation of proposals.
(b) Recommendation to Congress.
(c) Selection of technology.
13495. Authorization of appropriations.
- SUBCHAPTER X—ENERGY AND ECONOMIC GROWTH
13501. National Advanced Materials Program.
(a) Program direction.
(b) Program plan.
(c) Proposals.
(d) General Services Administration demonstration program.
(e) Authorization of appropriations.
13502. National Advanced Manufacturing Technologies Program.
(a) Program direction.
(b) Program plan.
(c) Proposals.
(d) Authorization of appropriations.
13503. Supporting research and technical analysis.
(a) Basic energy sciences.
(b) University and science education.
(c) Technology transfer.
(d) Facilities support for multiprogram energy laboratories.
(e) Authorization of appropriations.
13504. Math and science education program.
(a) Program.
(b) Purpose.
(c) Support.
(d) Cooperation with qualified entities.

- Sec.
- (e) Report.
(f) Effect on existing programs.
(g) “Qualified entity” defined.
(h) Authorization of appropriations.
13505. Integration of research and development.
13506. Definitions.
- SUBCHAPTER XI—POLICY AND ADMINISTRATIVE PROVISIONS
13521. Policy on major construction projects.
(a) Report and management plan.
(b) Congressional review.
13522. Energy Research, Development, Demonstration, and Commercial Application Advisory Board.
(a) Establishment.
(b) Responsibilities.
(c) Use of existing advisory board.
13523. Management plan.
(a) Plan preparation.
(b) Contents of plan.
(c) Energy technology inventory and status report.
(d) Public comment.
(e) Plan submission.
13524. Costs related to decommissioning and storage and disposal of nuclear waste.
(a) Award of contracts.
(b) Issuance of regulations.
(c) Definitions.
13525. Limits on participation by companies.
13526. Uncosted obligations.
(a) Report.
(b) Definitions.
- SUBCHAPTER XII—MISCELLANEOUS
- PART A—GENERAL PROVISIONS
13541. Research, development, demonstration, and commercial application activities.
(a) Research, development, and demonstration.
(b) Commercial application.
(c) “Joint venture” defined.
(d) Protection of information.
(e) Guidelines and procedures.
(f) Application of section.
13542. Cost sharing.
(a) Research and development.
(b) Demonstration and commercial application.
(c) Calculation of amount.
(d) Tennessee Valley Authority.
- PART B—OTHER MISCELLANEOUS PROVISIONS
13551. Repealed.
13552. Use of energy futures for fuel purchases.
(a) Fuel study.
(b) Report.
(c) Pilot program.
(d) Authorization of appropriations.
13553. Energy subsidy study.
(a) In general.
(b) Report to Congress.
(c) Contents.
(d) Authorization of appropriations.
13554. Tar sands.
(a) Policy.
(b) “Tar sands” defined.
(c) Study.
(d) Authorization of appropriations.
13555. Consultative Commission on Western Hemisphere Energy and Environment.
(a) Findings.
(b) “Commission” defined.
(c) Negotiations.
(d) The Commission.
(e) Report.
13556. Disadvantaged business enterprises.

Sec.

- (a) General rule.
- (b) Definitions.

§ 13201. “Secretary” defined

For purposes of this Act, the term “Secretary” means the Secretary of Energy.

(Pub. L. 102-486, § 2, Oct. 24, 1992, 106 Stat. 2782.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102-486, Oct. 24, 1992, 106 Stat. 2776, known as the Energy Policy Act of 1992. For complete classification of this Act to the Code, see Short Title note below and Tables.

SHORT TITLE

Section 1(a) of Pub. L. 102-486 provided that: “This Act [see Tables for classification] may be cited as the ‘Energy Policy Act of 1992.’”

SUBCHAPTER I—ALTERNATIVE FUELS—GENERAL

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 13263 of this title.

§ 13211. Definitions

For purposes of this subchapter, subchapter II of this chapter, and subchapter III of this chapter (unless otherwise specified)—

(1) the term “Administrator” means the Administrator of the Environmental Protection Agency;

(2) the term “alternative fuel” means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits;

(3) the term “alternative fueled vehicle” means a dedicated vehicle or a dual fueled vehicle;

(4) the term “comparable conventionally fueled motor vehicle” means a motor vehicle which is, as determined by the Secretary—

(A) commercially available at the time the comparability of the vehicle is being assessed;

(B) powered by an internal combustion engine that utilizes gasoline or diesel fuel as its fuel source; and

(C) provides passenger capacity or payload capacity the same or similar to the alternative fueled vehicle to which it is being compared;

(5) “covered person” means a person that owns, operates, leases, or otherwise controls—

(A) a fleet that contains at least 20 motor vehicles that are centrally fueled or capable

of being centrally fueled, and are used primarily within a metropolitan statistical area or a consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of 250,000 or more; and

(B) at least 50 motor vehicles within the United States;

(6) the term “dedicated vehicle” means—

(A) a dedicated automobile, as such term is defined in section 32901(a)(7) of title 49; or

(B) a motor vehicle, other than an automobile, that operates solely on alternative fuel;

(7) the term “domestic” means derived from resources within the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other Commonwealth, territory, or possession of the United States, including the outer Continental Shelf, as such term is defined in the Outer Continental Shelf Lands Act [43 U.S.C. 1331 et seq.], or from resources within a Nation with which there is in effect a free trade agreement requiring national treatment for trade;

(8) the term “dual fueled vehicle” means—

(A) dual fueled automobile, as such term is defined in section 32901(a)(8) of title 49; or

(B) a motor vehicle, other than an automobile, that is capable of operating on alternative fuel and is capable of operating on gasoline or diesel fuel;

(9) the term “fleet” means a group of 20 or more light duty motor vehicles, used primarily in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000, that are centrally fueled or capable of being centrally fueled and are owned, operated, leased, or otherwise controlled by a governmental entity or other person who owns, operates, leases, or otherwise controls 50 or more such vehicles, by any person who controls such person, by any person controlled by such person, and by any person under common control with such person, except that such term does not include—

(A) motor vehicles held for lease or rental to the general public;

(B) motor vehicles held for sale by motor vehicle dealers, including demonstration motor vehicles;

(C) motor vehicles used for motor vehicle manufacturer product evaluations or tests;

(D) law enforcement motor vehicles;

(E) emergency motor vehicles;

(F) motor vehicles acquired and used for military purposes that the Secretary of Defense has certified to the Secretary must be exempt for national security reasons;

(G) nonroad vehicles, including farm and construction motor vehicles; or

(H) motor vehicles which under normal operations are garaged at personal residences at night;

(10) the term “fuel supplier” means—

(A) any person engaged in the importing, refining, or processing of crude oil to produce motor fuel;